

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Hadden

Serial No.: 10/567,320

Group Art Unit: 1644

Confirmation No.: 6669

Filed: 8/18/2006

Examiner: WEN, Sharon X.

For: VACCINE IMMUNOTHERAPY FOR IMMUNE SUPPRESSED PATIENTS

Attorney Docket No.: 3115.00083

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated September 4, 2007. Applicant hereby petitions for a one-month extension of time within which to respond to the outstanding Office Action. Granting the petition would extend the time for filing the Response to November 4, 2007. The appropriate petition fee of \$60.00 is enclosed herewith.

Restriction to one of the following Groups was required under 35 USC §121:

- I. Claims 1-16 and 24-29, drawn to a method of immunotherapy to treat cancer by administering an effective amount of a natural cytokine mixture (NCM) and combination thereof;
- II. Claims 17 and 30-32, drawn to a composition comprising CY, INDO, and/or NCM;

III. Claim 18, drawn to an anti-metastatic treatment method comprising the steps of promoting differentiation and maturation of immature dendritic cells in a lymph node;

IV. Claims 19-20, drawn to an anti-metastatic method by unblocking immunization at a lymph node;

V. Claim 21, drawn to a method of using a NCM as a diagnostic skin test for predicting treatment outcomes;

VI. Claim 22, drawn to a method of pre-treatment of dendritic cells by applying an effective amount of CY and INDO in combination with a NCM; and

VII. Claim 23, drawn to a method of treating monocyte defects characterized by sinus histiocytosis or a negative NCM skin test by applying an effective amount of CY and INDO in combination with a NCM.

Applicant provisionally elects Group I, claims 1-16 and 24-29 for prosecution purposes. Applicant hereby conditionally withdraws claims 17-23 and 30-32 from prosecution, without prejudice, and request reconsideration of the restriction requirement.

Applicant further elects the species of CY and NSAID, the specific administering step of unilaterally administering (claims 4-7), the specific administering step of surgery or radiotherapy (claims 8-9), the specific tumor antigen of exogenous (claim 20), and the specific cancer of Head and Neck Squamous Cell Carcinoma (H&NSCC).

The application is now in condition for allowance, which allowance is respectfully solicited.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC



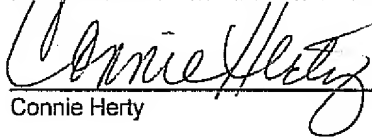
Kenneth I. Kohn, Reg. No. 30,955
Customer No.: 48924

Dated: November 21, 2007

CERTIFICATE OF ELECTRONIC FILING VIA EFS-WEB

Date of Electronic Filing: 11-26-07

I hereby certify that this correspondence is being electronically filed with the United States Patent & trademark Office on the above date.



Connie Herty